

Notice of Allowability	Application No.	Applicant(s)	
	10/091,646	OZAWA ET AL.	
	Examiner	Art Unit	
	Dalei Dong	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed on July 6, 2006.
2. ☒ The allowed claim(s) is/are 4 and 5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. The Response filed on July 6, 2006, has been entered and acknowledged by the Examiner.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claim 3 directed to a discharge beam estimating method, for an optical fusion splicer non-elected without traverse. Accordingly, claim 3 has been cancelled.

EXAMINER'S AMENDMENT

3. The application has been amended as follows:

Claim 4 (Currently Amended). A method for fusion splicing of an optical fiber using an optical fiber fusion splicer comprising a setting means for setting respective end surfaces of two optical fibers that are to be spliced in order to abut against each other, a heating means for generating an arc discharge between two discharge electrodes and heating an abutment portion of said optical fibers using a discharge beam, and an image pickup means for picking up an image of said discharge beam, the method comprising: measuring, from image signals obtained by said image pickup means when a preliminary arc discharge is generated between said discharge electrodes when no optical fibers have been placed in a discharge area, brightness distributions on a plurality of lines that are set at different positions along a rectilinear direction between said discharge electrodes and run in a direction substantially at right angles to the rectilinear direction; estimating a

heating center of the arc discharge along an axial direction of the optical fiber from the plurality of brightness distributions; controlling a position of said setting means along the axial direction of the ~~optional~~ optical fiber such that the abutment portion of said two optical fibers is positioned in the estimated heating center; and thereafter controlling said heating means such that a main arc discharge is generated and said abutment portion is heated by said discharge beam.

Allowable Subject Matter

4. Claims 4 and 5 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding to independent claim 4, prior art of record taken alone or in combination fails to teach or suggest a method for fusion splicing of an optical fiber using an optical fiber fusion splicer comprising: estimating a heat center of the arc discharge along an axial direction of the optical fiber from the plurality of brightness distributions; controlling a position of the setting means along the axial direction of the optical fiber such that the abutment portion of the two optical fibers is positioned in the estimated heating center, in combination with other claimed method of the present claimed invention.

Regarding to claim 5, is allowable because of the dependency upon the allowable independent claim 4.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

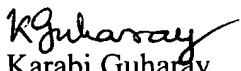
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



D.D.

August 22, 2006


Karabi Guharay
Primary Examiner
Art Unit 2879
8/31/06